

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/23/2021
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT ACEVEDO,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
GG COLUMBUS CIRCLE LLC and HEALTHY	:	
FOOD ENTERPRISES, III, INC.,	:	
	:	
Defendants.	:	
-----X	:	

1:20-cv-08545-GHW

ORDER

GREGORY H. WOODS, District Judge:


By letter dated February 22, 2021, Plaintiff and defendant GG Columbus Circle LLC have informed the Court that this case has settled. Dkt. No. 25. Accordingly, it is hereby ORDERED that this case is stayed for sixty (60) days as to defendant GG Columbus Circle LLC only, to permit Plaintiff and GG Columbus Circle LLC to finalize their settlement agreement. The initial pretrial conference scheduled for March 1, 2021 is adjourned.

Plaintiff's claims against defendant Healthy Food Enterprises, III, Inc. ("Healthy Food") are still pending. Plaintiff initiated this action on October 14, 2020. Dkt. No. 1. Healthy Food was served on October 21, 2020 and its answer was due on November 12, 2020. Dkt. No. 9. To date, Healthy Food has not appeared in this action. Plaintiff has not requested a certificate of default from the Clerk of Court. The Court expects Plaintiff to submit any order to show cause as to why default judgment should not be entered against Healthy Food, by no later than March 5, 2021. If Plaintiff fails to do so, the Court expects to dismiss the claims against Healthy Food for failure to prosecute.

Plaintiff is directed to serve this order on defendant Healthy Food Enterprises, III, Inc. and to retain proof of service.

SO ORDERED.

Dated: February 23, 2021


 GREGORY H. WOODS
 United States District Judge